

Daniel David Courson  
 PLAINTIFF/PETITIONER/MOVANT'S NAME  
F69760  
 PRISON NUMBER

R.J. Donovan State Prison  
 PLACE OF CONFINEMENT  
F1-5-301u  
P.O. Box 799001 San Diego, CA 92179  
 ADDRESS

2054	1983
FILING FEE PAID	
Yes	No
HYP MOTION FILED	
Yes	No
COPIES SENT TO	
Court	ProSe

ORIGINAL

<b>FILED</b>
MAY 14 2008
CLERK, U.S. DISTRICT COURT SOUTHERN DISTRICT OF CALIFORNIA BY <u>KM</u> DEPUTY

**United States District Court  
 Southern District Of California**

Daniel David Courson,  
 Plaintiff/Petitioner/Movant

v.

SDSD Deputies Cochran, Espinoza,  
 Defendant/Respondent

Civil No. **'08 CV 0871 JAH LSP**  
 (TO BE FILLED IN BY U.S. DISTRICT COURT CLERK)

**MOTION AND DECLARATION UNDER  
 PENALTY OF PERJURY IN SUPPORT  
 OF MOTION TO PROCEED IN FORMA  
PAUPERIS**

I, Daniel David Courson  
 declare that I am the Plaintiff/Petitioner/Movant in this case. In support of my request to proceed without prepayment of fees or security under 28 U.S.C. § 1915, I further declare I am unable to pay the fees of this proceeding or give security because of my poverty, and that I believe I am entitled to redress.

**In-further support of this application, I answer the following question under penalty of perjury:**

1. Are you currently incarcerated? ☒ Yes ☐ No (If "No" go to question 2)

If "Yes," state the place of your incarceration R.J. Donovan State Prison

Are you employed at the institution? ☒ Yes ☐ No

Do you receive any payment from the institution? ☒ Yes ☐ No

[Have the institution fill out the Certificate portion of this affidavit and attach a certified copy of the trust account statement from the institution of your incarceration showing at least the last six months transactions.]

CR

2. Are you currently employed? ☒ Yes ☐ No

a. If the answer is "Yes," state the amount of your take-home salary or wages and pay period and give the name and address of your employer. I presently earn 37 cents/hour at my prison job at:

R.J. Donovan State Prison, 480 Alta Rd., San Diego, CA 92179

b. If the answer is "No" state the date of your last employment, the amount of your take-home salary or wages and pay period and the name and address of your last employer. \_\_\_\_\_

3. In the past twelve months have you received any money from any of the following sources?:

- |   |   |
|---|---|
| a. Business, profession or other self-employment  | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| b. Rent payments, royalties interest or dividends | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| c. Pensions, annuities or life insurance          | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| d. Disability or workers compensation             | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| e. Social Security, disability or other welfare   | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| e. Gifts or inheritances                          | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| f. Spousal or child support                       | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| g. Any other sources                              | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |

If the answer to any of the above is "Yes" describe each source and state the amount received and what you expect you will continue to receive each month. \_\_\_\_\_

4. Do you have any checking account(s)? ☐ Yes ☒ No

a. Name(s) and address(es) of bank(s): \_\_\_\_\_

b. Present balance in account(s): \_\_\_\_\_

5. Do you have any savings/IRA/money market/CDS' separate from checking accounts? ☐ Yes ☒ No

a. Name(s) and address(es) of bank(s): \_\_\_\_\_

b. Present balance in account(s): \_\_\_\_\_

6. Do you own an automobile or other motor vehicle? ☐ Yes ☒ No

a. Make: \_\_\_\_\_ Year: \_\_\_\_\_ Model: \_\_\_\_\_

b. Is it financed? ☐ Yes ☐ No

c. If so, what is the amount owed? \_\_\_\_\_

**ORIGINAL**

7. Do you own any real estate, stocks, bonds, securities, other financial instruments, or other valuable property?

☐ Yes ☒ No

If "Yes" describe the property and state its value. \_\_\_\_\_

8. List the persons who are dependent on you for support, state your relationship to each person and indicate how much you contribute to their support. None.

9. List any other debts (current obligations, indicating amounts owed and to whom they are payable): \_\_\_\_\_

Restitution appx. \$70,000, payable to San Diego and Orange counties.

10. List any other assets or items of value (specify real estate, gifts, trusts inheritances, government bonds, stocks, savings certificates, notes, jewelry, artwork, or any other assets [include any items of value held in someone else's name]): None.

12. If you answered all of the items in #3 "No," and have not indicated any other assets or sources of income anywhere on this form, you must explain the sources of funds for your day-to-day expenses. I earn 37 cents/hour at my prison job.

I declare under penalty of perjury that the above information is true and correct and understand that a false statement herein may result in the dismissal of my claims.

May 9, 2008  
DATE



SIGNATURE OF APPLICANT

**ORIGINAL**

If you are a **prisoner** you must have an officer from your institution provide this official certificate as to the amount of money in your prison account. There are no exceptions to this requirement.

**PRISON CERTIFICATE**  
**(Incarcerated applicants only)**  
 (To be completed by the institution of incarceration)

I certify that the applicant Daniel David Courson  
 (NAME OF INMATE)

F69760  
 (INMATE'S CDC NUMBER)

has the sum of \$ 25.15 on account to his/her credit at \_\_\_\_\_

R.J. Donovan State Prison  
 (NAME OF INSTITUTION)

I further certify that the applicant has the following securities none

to his/her credit according to the records of the aforementioned institution. I further certify that **during**

**the past six months** the applicant's *average monthly balance* was \$ 43.85

and the *average monthly deposits* to the applicant's account was \$ 18.00

ALL PRISONERS **MUST** ATTACH A CERTIFIED COPY OF THEIR TRUST ACCOUNT  
 STATEMENT SHOWING TRANSACTIONS FOR THE SIX-MONTH PERIOD  
 IMMEDIATELY PRECEDING THE FILING OF THE COMPLAINT PER 28 U.S.C. § 1915(a)(2).

05/11/08

DATE

C/O D. Martinez

SIGNATURE OF AUTHORIZED OFFICER OF INSTITUTION

D. MARTINEZ

OFFICER'S FULL NAME (PRINTED)

C/O (corrections officer)

OFFICER'S TITLE/RANK

**ORIGINAL**

REPORT ID: TS3030 .701

REPORT DATE: 05/01/08

PAGE NO: 1

CALIFORNIA DEPARTMENT OF CORRECTIONS  
R.J.DONOVAN CORR. FACILITY  
INMATE TRUST ACCOUNTING SYSTEM  
INMATE TRUST ACCOUNT STATEMENT

FOR THE PERIOD: APR. 01, 2008 THRU MAY 01, 2008

ACCOUNT NUMBER : F69760

BED/CELL NUMBER: F105T10000004350

ACCOUNT NAME : COURSON, DANIEL

ACCOUNT TYPE: I

PRIVILEGE GROUP: A

## TRUST ACCOUNT ACTIVITY

DATE	TRAN CODE	DESCRIPTION	COMMENT	CHECK NUM	DEPOSITS	WITHDRAWALS	BALANCE
04/01/2008		BEGINNING BALANCE					62.55
04/01	*DD34	EFT DEPOSIT O 5216/CYBER			18.00		80.55
04/08	FC04	DRAW-FAC 4 5382/F41ST				40.00	40.55
04/11	W536	COPAY CHARGE 5453/COPAY				5.00	35.55
04/17	W515	COPY CHARGE 5557/APR08				0.30	35.25
04/17	W515	COPY CHARGE 5557/APR08				1.40	33.85
04/17	W515	COPY CHARGE 5557/APR08				1.60	32.25
04/17	W516	LEGAL COPY CH 5579/APR08				0.30	31.95
04/18	W516	LEGAL COPY CH 5611/APR08				1.00	30.95
04/24	W536	COPAY CHARGE 5722/COPAY				5.00	25.95
04/24	W515	COPY CHARGE 5736/APR08				0.80	25.15

ORIGINAL

## \* RESTITUTION ACCOUNT ACTIVITY

DATE SENTENCED: 04/12/07  
COUNTY CODE: \*SD

CASE NUMBER: \*SCD201868  
FINE AMOUNT: \$ 65,414.51

DATE	TRANS.	DESCRIPTION	TRANS. AMT.	BALANCE
04/01/2008		BEGINNING BALANCE		65,347.00
04/01/08	DR34	REST DED-EFT DEPOSIT	20.00-	65,327.00

\* THIS STATEMENT DOES NOT REFLECT THE ADMINISTRATIVE FEE CHARGE THAT \*  
\* IS EQUAL TO TEN PERCENT OF THE RESTITUTION AMOUNT COLLECTED. \*

## TRUST ACCOUNT SUMMARY

BEGINNING BALANCE	TOTAL DEPOSITS	TOTAL WITHDRAWALS	CURRENT BALANCE	HOLDS BALANCE	TRANSACTIONS TO BE POSTED
62.55	18.00	55.40	25.15	0.00	0.00

CURRENT  
AVAILABLE  
BALANCE

25.15

\*Please note: I arrived at RJD Corr. Facility on 3-21-08, and thus do not have six months time of trust account activity. This statement is for Apr. 1 to May 1, 2008.